

**REMARKS**

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 1-35 remain pending. Claims 1, 2, 3, 4 and 5 are independent.

**ALLOWABLE SUBJECT MATTER**

Application appreciates that the Examiner indicates claims 6-9, 15-16, 25, 29, 32 and 35-37 to define allowable subject matter.

**§ 102 REJECTION – NAKAZAWA**

Claims 1-2, 4, 19-20 and 22 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Nakazawa et al. (USPN 6,331,903). *See Office Action, items 1-7.*

Applicant does not necessarily agree with the Examiners allegation. However, independent claims 1, 2 and 4 are amended to recite “wherein the image is taken without the use of a photographic film.” In the Office Action, the Examiner indicates that such feature overcomes the current grounds of rejection. *See Office Action, page 3, lines 13-15.* For at least this reason, independent claims 1, 2 and 4 are distinguishable over Nakazawa.

Claims 19, 20 and 22 depend from independent claims 1, 2 and 4, respectively. Then for at least due to the dependency thereon, claims 19, 20 and 22 are also distinguishable over Nakazawa.

Applicant respectively request that the rejection of claims 1-2, 4, 19-20 and 22 based on Nakazawa be withdrawn.

§ 103 REJECTION – NAKAZAWA, KINOSHITA

Claims 3, 5, 21, 23-24, 28, 33 and 37 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakazawa in view of Kinoshita et al. (USPN 5,448,377). *See Office Action, items 8-16.*

Again, Applicant does not necessarily agree with the Examiner. However, to promote the progress of the application, independent claims 3 and 5 are amended to recite “wherein the image is taken without the use of a photographic film.” As noted above, the Examiner indicates the inclusion of this feature overcomes the current grounds of rejection. For at least this reason, independent claims 3 and 5 are distinguishable over the combination of Nakazawa and Kinoshita.

Claims 21, 23, 33 and 37 depend from independent claims 3 and 5. Then for at least due to the dependency thereon, claims 21, 23, 33 and 37 are also distinguishable over the combination of Nakazawa and Kinoshita.

Claims 24 and 28 depend from independent claims 1 and 2, respectively. As noted above, the Examiner indicates that amended claims 1 and 2 overcomes all current grounds of rejection. Therefore, independent claims 1 and 2 are distinguishable over the combination of Nakazawa and Kinoshita. Then for at least due to the dependency thereon, claims 24 and 28 are also distinguishable over the combination of Nakazawa and Kinoshita.

Applicant respectfully request that the rejection of claims 3, 5, 21, 23-24, 28, 33 and 37 based on Nakazawa and Kinoshita be withdrawn.

§ 103 REJECTION – NAKAZAWA, KINOSHITA, WALKER

Claims 10-12 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakazawa in view of Kinoshita and in further view of Walker et al. (USPN 6,381,582). *See Office Action, items 17-20.* Applicant respectively traverses.

Claims 10-12 depend from independent claim 5 in claim 5 is amended to overcome all grounds of rejection. Thus, claim 5 as well as the dependent claims 10-12 are distinguishable over the combination of Nakazawa, Kinoshita and Walker.

Applicant respectfully request after rejection of claims 10-12 based on Nakazawa, Kinoshita and Walker be withdrawn.

§ 103 REJECTION – NAKAZAWA, KINOSHITA, SLOTZNICK

Claims 13-14 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakazawa in view of Slotznick et al (USPN 5,983,200). *See Office Action, items 21-23.*

Claims 13-14 depend from independent claim 5 and claim 5 is distinguishable over all current grounds of rejection including the combination of Nakazawa, Kinoshita and Slotznick. Then for at least due to the dependency thereon, claims 13-14 are also distinguishable over the combination of Nakazawa, Kinoshita and Slotznick.

Applicant respectively request after rejection of claims 13-14 based on Nakazawa, Kinoshita and Slotznick be withdrawn.

§ 103 REJECTION – NAKAZAWA, KINOSHITA, PARULSKI, WATANABE

Claims 17-18 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakazawa in view of Kinoshita and further in view of Parulski et al. (USPN 5,440,343) and Watanabe (USPN 6,529,236). *See Office Action, items 24-26.*

Claims 17 and 18 depend from independent claim 5 and claim 5 overcomes all current grounds of rejection including the combination of Nakazawa, Kinoshita, Parulski and Watanabe. For at least due to the

dependency thereon, claims 17 and 18 are also distinguishable over the same combination of references.

Applicant, respectfully request that the rejection of claims 17 and 18 based on Nakazawa, Kinoshita, Parulski and Watanabe be withdrawn.

§ 103 REJECTION – NAKAZAWA, KONDO

Claims 27, 31 and 34 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakazawa in view of Kondo et al. (US Publication 2001/0030687). *See Office Action, items 27-30.*

Claims 27, 31 and 34 depend from independent claims 1, 2 and 3 respectively. As demonstrated above, claims 1, 2 and 3 overcome all current grounds of rejection including the combination of Nakazawa and Kondo. For at least due to the dependency thereon, claims 27, 31 and 34 are also distinguishable over the same combination.

Applicant, respectfully request that the rejection of claims 27, 31 and 34 based on Nakazawa and Kondo be withdrawn.

§ 103 REJECTION – NAKAZAWA, KINOSHITA, KONDO

Claims 38 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakazawa, Kinoshita and Kondo. *See Office Action, items 31-32.*

Claim 38 depends from claim 5 and claim 5 overcomes all current grounds of rejection including the combination of Nakazawa, Kinoshita and Kondo. For at least due to the dependency thereon, claim 38 is also distinguishable over the same combination.

Applicant, respectfully request to the rejection of claim 38 based on Nakazawa, Kinoshita and Kondo be withdrawn.

#### § 103 REJECTION – NAKAZAWA

Claims 26 and 30 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Nakazawa. *See Office Action, items 33-35.*

These claims depend from independent claims 1 and 2, respectively, and it is demonstrated above that claims 1 and 2 overcomes all current grounds of rejection including the combination of Nakazawa. For at least due to the dependency thereon, claim 26 and 30 are also distinguishable over Nakazawa.

Applicant, respectfully request that the rejection of claims 26 and 30 based on Nakazawa be withdrawn.

#### **CONCLUSION**

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to

be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Date: May 22, 2006

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